

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SVOTHI, INC.,

Plaintiff,

-against-

Case No. 1:25-cv-00333 (ALC)

DARK ALLEY MEDIA, LLC, et al.,

Defendants.

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MOTION TO RESTORE CASE TO ACTIVE DOCKET AND OBJECTION TO SETTLEMENT

TO THE HONORABLE ANDREW L. CARTER, JR., U.S.D.J.:

Comes now Marc Edisad (formerly Maciek Dziekiewicz), pro se, and respectfully submits this motion to restore the above-captioned case to the Court's active docket pursuant to the Court's June 23, 2025 Order of Discontinuance, which allows a 30-day period to restore the case. I also object to the proposed or executed settlement for the following reasons:

1. I am a 50% shareholder of Defendant Dark Alley Media, LLC, a New York limited liability company, as evidenced by:

- A 2004 Shareholders Agreement (Exhibit A);
- A 2016 Addendum affirming 50% ownership by myself and Robert Feld (Exhibit C).

2. I legally changed my name from Maciek Dziekiewicz to Marc Edisad, as certified by the Polish Consulate (Exhibit B), and am the same individual party to all original agreements.

3. I was not informed of, consulted about, or consenting to any settlement made in this case.

- No member of the LLC, including any legal representative or Robert Feld, had unilateral authority to settle this matter without my approval.
- There is no valid operating agreement authorizing any member to act on behalf of the LLC without unanimous consent of all owners.

4. The settlement, if allowed to stand, would result in the unauthorized forfeiture of LLC-owned assets, including domain names and intellectual property, over which I maintain equal ownership rights.

5. I am not currently represented by counsel and lack the financial means to secure representation. I am concurrently submitting an Application to Proceed In Forma Pauperis.

WHEREFORE, I respectfully request that this Court:

- Restore the case to the active docket;
- Vacate any settlement or discontinuance involving Dark Alley Media, LLC, entered without proper authority;
- Allow me, as a 50% owner, to defend the rights and assets of the LLC;
- Grant such other and further relief as the Court deems just and proper.

Dated: July 24, 2025

Brooklyn, New York

Respectfully submitted,

Marc Edisad

70 Wyckoff Avenue, Apt 2K

Brooklyn, NY 11237

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Pro Se Defendant and LLC Member